

**UNITED STATES DISTRICT COURT  
MIDDLE DIVISION OF ALABAMA  
NORTHERN DIVISION**

Gene Martin Auto Sales, Inc., )  
                                    )  
Plaintiff,                     )  
                                    )  
vs.                             )      Case Number: 2:07cv937-MEF  
                                    )  
Kevin Davis,                  )  
                                    )  
Defendant.                     )

**PLAINTIFF'S FIRST AMENDMENT TO COMPLAINT**

Gene Martin Auto Sales, Inc, the plaintiff in the above case, amends his complaint by adding thereto immediately after paragraph 6, the following:

7. The acts of the deputy sheriffs alleged in paragraphs 4 through 6 of the complaint and in the affidavit of Gene Martin, which was attached to the complaint, were performed under the direct supervision and pursuant to the instructions of the defendant, Kevin Davis. At all times alleged in the complaint, the named deputies were carrying out the orders given by the defendant, Kevin Davis.

8. The intention of the defendant, Kevin Davis, in having the deputy sheriffs perform the acts described in paragraphs 4 through 6 of the complaint and in said affidavit was to disrupt or close down the plaintiff's business.



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Charles Cleveland

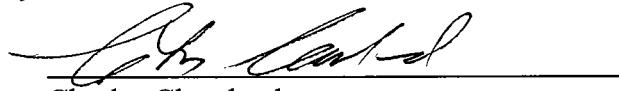
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**CERTIFICATE OF SERVICE**

In accordance with Local Rule 5.4, I hereby certify that I have electronically filed the foregoing with the clerk of the court using the CM/ECF system, which will send notification of such filing to the following:

Winston Sheehan  
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(334) 387-3222 (fax)

*This the 18<sup>th</sup> day of May, 2008.*

  
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Charles Cleveland

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